

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PAULA WALLRICH, DANIELLE JONES,
GRANT GRINNELL, JEFFREY BURTON,
RHONDA MCCALLUM, PROVIDENCIA
VILLEGAS, AND 49,980 OTHER
INDIVIDUALS,

Petitioners,

v.

SAMSUNG ELECTRONICS AMERICA,
INC., AND SAMSUNG ELECTRONICS
CO., LTD.,

Respondents.

Civil Action No: 1:22-cv-05506

Hon. Harry D. Leinenweber

**SAMSUNG’S MOTION FOR LEAVE TO FILE
BRIEFS IN EXCESS OF FIFTEEN PAGES**

Pursuant to Rule 7.1 of the Local Rules of the Northern District of Illinois, respondents Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd. (collectively, “Samsung”) respectfully move for leave to file their 1) Opposition to Petitioners’ Motion to Compel Arbitration (“Opposition”) in excess of fifteen (15) pages, and 2) brief in support of Samsung’s Motion to Dismiss the Verified Petition to Compel Arbitration in excess of fifteen (15) pages. As grounds for this motion, Samsung states:

1. Rule 7.1 of the local rules provides that briefs shall not be more than fifteen (15) pages in length without prior approval of the court.
2. On October 7, 2022, Petitioners filed a Motion to Compel Arbitration (“Motion”) in excess of 15 pages, along with 20 exhibits. Petitioners seek an order to compel Samsung to engage in

49,986 separate individual arbitrations and to pay arbitration fees that would be, at minimum, in the tens millions of dollars

3. Samsung's Opposition is due on December 5, 2022.

4. Samsung also intends to file a Motion to Dismiss the Verified Petition to Compel Arbitration.

5. At the October 19, 2022 hearing on the briefing schedule for Petitioners' Motion to Compel, Samsung's counsel explained that the Motion raised a variety and complexity of issues, both substantive and procedural, that Samsung believed required full briefing in response to Petitioners' Motion.

6. Given the number of substantive and procedural arguments Samsung intends to raise in opposition to the Motion to Compel, Samsung seeks leave of Court to file its Opposition to Petitioners' Motion to Compel in excess of fifteen (15) pages and requests the Court's permission to file a thirty-five (35) page Opposition, exclusive of the Table of Contents and Exhibits. Samsung respectfully submits that a 35-page Opposition brief is necessary and appropriate to fully explain the issues raised by Petitioners' Motion and is further justified given the significant relief sought by Petitioners' Motion.

7. Likewise, Samsung's anticipated Motion to Dismiss will address a variety of substantive and procedural arguments that require a full discussion of a variety of issues raised by the Petition. To fully brief these issues, Samsung seeks leave to file a brief in support of the Motion to Dismiss in excess of fifteen (15) pages, but not longer than twenty (20) pages, exclusive of the Table of Contents and Exhibits.

8. Samsung's counsel sought Petitioners' concurrence to this extension. Petitioners indicated that they do not oppose an extension of up to 17 pages total for Samsung's Opposition to the

Motion to Compel, but that Petitioners otherwise oppose the extension requested as to the Opposition. In a separate correspondence, Samsung's counsel recently sought Petitioners' position with respect to the brief in support of the Motion to Dismiss but had not heard back from Petitioners before filing this motion.

Wherefore, Samsung respectfully requests leave for an extension from Local Rule 7.1 to 1) file an Opposition to the Motion to Compel not to exceed thirty-five (35) pages, and 2) file a brief in support of Samsung's Motion to Dismiss the Verified Petition To Compel Arbitration not to exceed twenty (20) pages.

Dated: November 29, 2022

Respectfully submitted,

/s/Mark H. Boyle

Mark Howard Boyle
DONOHUE BROWN MATHEWSON & SMYTH
LLC
131 S. Dearborn Street, Ste 1600
Chicago, Illinois 60603
Telephone: (312) 422-0900

Randall W. Edwards
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
San Francisco, California 94111-3823
Telephone: (415) 984-8700

Michael W. McTigue Jr. (*pro hac vice*)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
One Manhattan West
New York, New York 10001-8602
Telephone: (212) 735-3000

Attorneys for Respondents
Samsung Electronics America, Inc. and Samsung
Electronics Co., Ltd.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 29th day of November, 2022, he caused the foregoing SAMSUNG'S MOTION FOR LEAVE TO FILE BRIEFS IN EXCESS OF FIFTEEN PAGES to be filed with the Clerk of the District Court via the CM/ECF system, which will send notification of such filing to all counsel of record at the email addresses on file with the Court.

By: /s/ Mark H. Boyle

Mark H. Boyle
ATTORNEY FOR DEFENDANTS
SAMSUNG ELECTRONICS AMERICA, INC.
AND SAMSUNG ELECTRONICS CO., LTD.

DONOHUE BROWN MATHEWSON & SMYTH
LLC
131 S. Dearborn Street, Ste 1600
Chicago, Illinois 60603
Telephone: (312) 422-0900